

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

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|-----------------------------------|---|---------------------------------|
| SHARICE C. VANN, |) | |
| |) | |
| Petitioner/Defendant, |) | |
| |) | CIVIL NO. 08-cv-722-JPG |
| vs. |) | |
| |) | CRIMINAL NO. 06-cr-40029 |
| UNITED STATES of AMERICA , |) | |
| |) | |
| Respondent/Plaintiff. |) | |

MEMORANDUM AND ORDER

GILBERT, District Judge:

This matter is before the Court on Petitioner's motion for relief pursuant to 28 U.S.C. § 2255. On January 8, 2007, Petitioner pleaded guilty to one count of conspiracy to distribute 50 grams or more of cocaine base in violation of 21 U.S.C. § 846. No plea agreement was made. On April 17, 2007, Petitioner was sentenced to 204 months imprisonment, 5 years supervised release, a fine of \$200, and a special assessment of \$100. On October 15, 2007, Petitioner filed the instant motion under § 2255.

In his motion the Petitioner raises four grounds for relief: (1) ineffective assistance of counsel in failing to consult with Petitioner after sentencing with regard to possible grounds for appeal; (2) ineffective assistance of counsel relating to the plea; (3) incorrect calculation of base offense level in violation of due process of law ; and (4) improper calculation of base offense level in violation of due process of law

The Court **ORDERS** the Government to file a response to Petitioner's motion within

THIRTY (30) DAYS of the date of this Order. The Government shall, as part of its response, attach all relevant portions of the record.

IT IS SO ORDERED.

Dated: November 14, 2008.

s/ J. Phil Gilbert

U. S. District Judge